

HOUSE BILL 2787

By Cooper B

AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, relative to certain homicides when the victim is a public employee.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-13-202(a), is amended by deleting the word "or" at the end of subdivision (2); by deleting the period at the end of subdivision (3) and substituting instead a semi-colon and the word "or"; and by adding the following language as a new subdivision to be designated as follows:

(4) A knowing killing of a public employee when the employee was in the course of performing the employee's public duties.

SECTION 2. Tennessee Code Annotated, Title 39, Chapter 13, Part 2, is amended by adding the following as a new section:

Section 39-13-219. A person charged with violating Section 39-13-202, 39-13-210, 39-13-211, 39-13-212, 39-13-213, 39-13-215, or 39-13-218, when the victim is a public employee who was killed in the course of performing the employee's public duties shall be prosecuted as provided in that section and the district attorney general shall not be permitted to enter into a plea agreement to a lesser charge unless the district attorney general, in open court, files a written statement, with supporting facts, stating that there is insufficient admissible evidence to sustain a conviction for the charged violation.

SECTION 3. This act shall take effect July 1, 2008, the public welfare requiring it.